

DAIRY PRODUCTS**BUTTER**

27488. Butter. (F.D.C. No. 46091. S. No. 70-856 R.)

QUANTITY: 15 64-lb. cases at Charlestown, Mass.

SHIPPED: Milk was shipped by various receiving stations in Maine, New Hampshire, New York, and Vermont.

RESULTS OF INVESTIGATION: Examination showed that the butter was made from decomposed cream which was separated from fluid milk shipped as described above.

LIBELED: 7-19-61, Dist. Mass.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 8-14-61. Default—destruction.

CHEESE

27489. Swiss cheese. (F.D.C. No. 45833. S. No. 73-035 R.)

QUANTITY: 187 ctns., 24 unlabeled cellophane bags each, at Los Angeles, Calif.

SHIPPED: 5-11-61, from Monroe, Wis., by Swiss Colony (a name used by Green County Cheese Co.).

LABEL IN PART: (Ctn.) "Swiss Chunks 13-13½ 5 B 3."

RESULTS OF INVESTIGATION: Examination showed that artificial holes, or eyes, had been cut into the cheese.

LIBELED: 6-12-61, S. Dist. Calif.

CHARGE: 402(b)(3)—when shipped, artificial eyes had been cut into the cheese, thereby concealing inferiority of the article.

DISPOSITION: 8-7-61. Default—delivered to charitable institutions.

MILK

27490. Canned evaporated milk. (F.D.C. No. 45950. S. No. 84-277 R.)

QUANTITY: 241 cases, 48 6-oz. cans each, and 1,791 cases, 48 14½-oz. cans each, at Brooklyn, N.Y., in possession of Bush Terminal.

SHIPPED: 4-6-61, from outside the State of New York.

RESULTS OF INVESTIGATION: Examination showed that the article was submerged in polluted New York harbor river water.

LIBELED: 6-14-61, E. Dist. N.Y.

CHARGE: 402(a)(4)—held under insanitary conditions due to having been submerged in polluted river water.

DISPOSITION: 7-5-61. Consent—destruction.

27491. Nonfat dry milk. (F.D.C. No. 45909. S. No. 70-841 R.)

QUANTITY: 104 100-lb. bags at Boston, Mass., in possession of Kelso Warehouse, Inc.

SHIPPED: 6-1-60, from Eagle Bridge, N.Y.

LIBELED: 5-29-61, Dist. Mass.

CHARGE: 402(a)(3)—contained rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 7-11-61. Default—delivered to a public institution for use as animal feed.

27492. Nonfat dry milk. (F.D.C. No. 46168. S. No. 27-500 R.)

QUANTITY: 218 cases, 12 pkgs. each, at St. Paul, Minn.

SHIPPED: 6-12-61, from Elsie, Mich., by Michigan Milk Producers Association.

LABEL IN PART: (Pkg.) "Net Wt. 1 lb. 9 $\frac{3}{4}$ Oz. Super Instant Fairway Nonfat Dry Milk (Dry Skim Milk) Makes 8 Quarts Packed for Fairway Foods, Inc. St. Paul, Minn."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-10-61, Dist. Minn.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 10-2-61. Default—delivered to charitable institutions.

EGGS

27493. Frozen eggs. (F.D.C. No. 46068. S. No. 56-790 R.)

QUANTITY: 145 30-lb. cans at New York, N.Y.

SHIPPED: 5-23-61, from Greensburg, Ind., by C. E. Vines Egg Co.

LABEL IN PART: (Can) "EggCo Brand Quick Frozen Whole Eggs Distributed by Egg Corporation of America, New York, New York."

LIBELED: 7-10-61, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 8-9-61. Consent—claimed by Vines Poultry Farms, Osgood, Ind. Segregated; 52 cans denatured.

FEEDS AND GRAINS

27494. Canned cat food. (F.D.C. No. 45747. S. No. 18-383 R.)

QUANTITY: 751 cases, 48 15-oz. cans each, at Ogden, Utah.

SHIPPED: Between 1-5-61 and 4-7-61, from Hillsboro, Oreg., by Albers Milling Co.

LABEL IN PART: (Can) "New Friskies 'Chicken Dinner' Cat Food * * * Distributed by Albers Milling Company, A Division of Carnation Company, Los Angeles, California. A complete Food * * * with all the taste appeal of plump, country-fresh roasted chicken. Complete nourishment and extra flavor are assured by blending tender chicken goodness with choice whole fish, select cereals and nutritional supplements."

LIBELED: 5-1-61, Dist. Utah.

CHARGE: 403(a)—when shipped, the label statements "Chicken Dinner" and "the taste appeal of plump, country-fresh roasted chicken" were false and misleading as applied to a product consisting essentially of chicken viscera, chicken backs, chicken necks, fish, and cereals.

DISPOSITION: 7-12-61. Consent—claimed by Carnation Co., Los Angeles, Calif., and relabeled.